

**REMARKS**

Claims 1-58 remain pending in the application.

**Claims 1, 4-6, 8-21 and 24-58 over Matsumoto**

In the Office Action, claims 1, 4-6, 8-21 and 24-58 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,678,720 to Matsumoto ("Matsumoto"). The Applicants respectfully traverse the rejection.

Claims 1, 4-6, 8-20 and 53-58 recite a system and method initiating a transfer of an instant message and a chat history in a first data format compatible with a first messaging system, and transferring the instant message and the chat history in a second data format compatible with a second messaging system. Claims 21 and 24-52 recite a system and method to convert an instant message and a chat history from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a second data messaging system.

Matsumoto appears to disclose a messaging system and device for enabling users simultaneously and directly to send messages to numerous persons in cases where the users cannot connect directly to a chat system (Abstract). Message history data in the form of text data is converted to voice data for playback at a telephone set and to an image data for printing at a fax machine (Matsumoto, col. 4, lines 49-67; col. 10, lines 13-21).

Thus, Matsumoto discloses the conversion of message history data to either voice data or image data. Matsumoto fails to disclose or suggest transferring an instant message and a chat history in a second data format compatible with a **second messaging system** and converting an instant message and a chat history from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a **second data messaging system**, as recited by claims 1, 4-6, 8-21 and 24-58.

A benefit of converting an instant message and a chat history from a first data format that is compatible with a first messaging system to a second

data format that is compatible with a second messaging system and transferring an instant message and a chat history in a second data format compatible with a second chat system is, e.g., the ability to chat and send messages to incompatible systems. Conventionally, there are numerous incompatible messaging and chat system that allow users to send messages amongst their individual subscribers. However, a user of one messaging and chat system cannot send a message to a user of another messaging and chat system. A system and method of converting an instant message and chat history facilitates user of incompatible system to communicate. The cited prior art fails to disclose or suggest the claimed features having such benefits.

Accordingly, for at least all the above reasons, claims 1, 4-6, 8-21 and 24-58 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Claim 7 over Matsumoto in view of Flanagin**

In the Office Action, claim 7 was rejected under 35 U.S.C. §103(a) as allegedly being obvious over Matsumoto in view of U.S. Publication No. 2002/0108091 to Matsumoto ("Matsumoto"). The Applicants respectfully traverse the rejection.

Claim 7 is dependent on claim 1, and is allowable for at least the same reasons as claim 1.

Claim 7 recites a method initiating a transfer of an instant message and in a first data format compatible with a first messaging system, and transferring the instant message in a second data format compatible with a second messaging system.

As discussed above, Matsumoto fails to disclose or suggest a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a second messaging system, as recited by claim 7.

The Office Action relies on Flanagin to allegedly make up for the deficiencies in Matsumoto to arrive at the claimed features. The Applicants respectfully disagree.

Flanagin is relied on to disclose establishing a communication channel over a wireless network (Office Action, page 15). Flanagin's invention is directed toward deleting objects from a device (Abstract). However, Flanagin fails to disclose or **suggest** any type of the of instant messages having **differing data formats**, much less a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and **transferring the instant message in a second data format compatible with a second messaging system**, as recited by claim 7.

Thus, even if it were obvious to modify Matsumoto with the disclosure of Flanagin (which it is not), the theoretically modified Matsumoto would fail to disclose or **suggest** a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and **transferring the instant message in a second data format compatible with a second messaging system**, as recited by claim 7.

Accordingly, for at least all the above reasons, claim 7 is patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

#### **Claims 2, 3, 22 and 23 over Matsumoto in view of Scott**

In the Office Action, claims 2, 3, 22 and 23 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Matsumoto in view of U.S. Publication No. 2001/0044820 to Scott ("Scott"). The Applicants respectfully traverse the rejection.

Claims 2, 3, 22 and 23 are dependent on claims 1 and 21 respectively, and are allowable for at least the same reasons as claims 1 and 21.

Claims 2 and 3 recite a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and **transferring the instant message in a second data format compatible with a**

second messaging system. Claims 22 and 23 recite a system to convert an instant message and a chat history from a first data format that is compatible with a first messaging system to a second data format that is compatible with a second messaging system.

As discussed above, Matsumoto fails to disclose or suggest a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a second messaging system; and a system to convert an instant message and a chat history from a first data format that is compatible with a first messaging system to a second data format that is compatible with a second messaging system, as respectfully recited by claims 2, 3, 22 and 23.

The Office Action relies on Scott to allegedly make up for the deficiencies in Matsumoto to arrive at the claimed features. The Applicants respectfully disagree.

Scott is relied on to disclose indicating an unavailability in response to a non-establishment of a communication channel (Office Action, page 15). Scott's invention is directed toward monitoring and detecting static, dynamic and active web content (Abstract). However, Scott fails to disclose or **suggest** any type of the of messages having differing data formats, much less a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a second messaging system; and to convert an instant message from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a second instant messaging system; and, as recited by claims 2, 3, 22 and 23.

Thus, even if it were obvious to modify Matsumoto with the disclosure of Scott (which it is not), the theoretically modified Matsumoto would fail to disclose or **suggest** a method initiating a transfer of an instant message having a first data format compatible with a first messaging system and transferring the instant message in a second data format compatible with a

second messaging system; and to convert an instant message from a first data format that is compatible with a first instant messaging system to a second data format that is compatible with a second instant messaging system; and, as recited by claims 2, 3, 22 and 23.

Accordingly, for at least all the above reasons, claims 2, 3, 22 and 23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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